

Adopted	Rejected
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COMMITTEE REPORT

YES:	14
NO:	7

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1660, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 transportation and to make an appropriation.
- 4 Page 8, between lines 14 and 15, begin a new paragraph and insert:
- 5 "SECTION 12. IC 6-3.5-1.1-15, AS AMENDED BY P.L.146-2008,
- 6 SECTION 329, IS AMENDED TO READ AS FOLLOWS
- 7 [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) As used in this section,
- 8 "attributed allocation amount" of a civil taxing unit for a calendar year
- 9 means the sum of:
- 10 (1) the allocation amount of the civil taxing unit for that calendar
- 11 year; plus
- 12 (2) the current ad valorem property tax levy of any special taxing
- 13 district, authority, board, or other entity formed to discharge
- 14 governmental services or functions on behalf of or ordinarily
- 15 attributable to the civil taxing unit; plus
- 16 (3) in the case of a county, an amount equal to the welfare

1 allocation amount.

2 The welfare allocation amount is an amount equal to the sum of the
 3 property taxes imposed by the county in 1999 for the county's welfare
 4 fund and welfare administration fund and, if the county received a
 5 certified distribution under this chapter or IC 6-3.5-6 in 2008, the
 6 property taxes imposed by the county in 2008 for the county's county
 7 medical assistance to wards fund, family and children's fund, children's
 8 psychiatric residential treatment services fund, county hospital care for
 9 the indigent fund and children with special health care needs county
 10 fund.

11 (b) The part of a county's certified distribution that is to be used as
 12 certified shares shall be ~~allocated only among~~ **used to:**

13 **(1) make distributions of certified shares to the county's civil**
 14 **taxing units under subsection (c); or**

15 **(2) fund the operation or other projects of a regional**
 16 **transportation district as provided in an election, if any, made**
 17 **by a county fiscal body under IC 8-24-13-4.**

18 (c) Each civil taxing unit of a county is entitled to receive a certified
 19 share during a calendar year in an amount determined in STEP TWO
 20 of the following formula:

21 STEP ONE: Divide:

22 (A) the attributed allocation amount of the civil taxing unit
 23 during that calendar year; by

24 (B) the sum of the attributed allocation amounts of all the civil
 25 taxing units of the county during that calendar year.

26 STEP TWO: Multiply the part of the county's certified
 27 distribution that is to be used as certified shares **that is not**
 28 **distributed under subsection (b)(2)** by the STEP ONE amount.

29 (c) The local government tax control board established by
 30 IC 6-1.1-18.5-11 shall determine the attributed levies of civil taxing
 31 units that are entitled to receive certified shares during a calendar year.
 32 If the ad valorem property tax levy of any special taxing district,
 33 authority, board, or other entity is attributed to another civil taxing unit
 34 under subsection (a)(2), then the special taxing district, authority,
 35 board, or other entity shall not be treated as having an attributed
 36 allocation amount of its own. The local government tax control board
 37 shall certify the attributed allocation amounts to the appropriate county
 38 auditor. The county auditor shall then allocate the certified shares

1 among the civil taxing units of the auditor's county.

2 (d) Certified shares received by a civil taxing unit shall be treated
3 as additional revenue for the purpose of fixing its budget for the
4 calendar year during which the certified shares will be received. The
5 certified shares may be allocated to or appropriated for any purpose,
6 including property tax relief or a transfer of funds to another civil
7 taxing unit whose levy was attributed to the civil taxing unit in the
8 determination of its attributed allocation amount."

9 Page 17, delete lines 4 through 42.

10 Delete page 18.

11 Page 19, delete lines 1 through 8.

12 Page 38, delete lines 41 through 42.

13 Page 39, line 1, delete "(5)" and insert "(4)".

14 Page 39, line 6, after "district" insert **"part of the certified**
15 **distribution that constitutes certified shares, if any, that the county**
16 **is to receive during the same year under IC 6-3.5-1.1-10 or"**.

17 Page 47, between lines 32 and 33, begin a new paragraph and insert:

18 "SECTION 23. [EFFECTIVE JULY 1, 2008 (RETROACTIVE)] (a)
19 **The following definitions apply throughout this SECTION:**

20 **(1) "Grant recipient" refers to the following:**

21 **(A) Northern Indiana Commuter Transportation District.**

22 **(B) Central Indiana Regional Transportation Authority.**

23 **(C) Indianapolis Public Transportation Corporation.**

24 **(2) "Phase 1 of the West Lake line" means a commuter**
25 **transportation district project (as defined in IC 8-5-15-1) that**
26 **extends passenger rail service by the Chicago, South Shore,**
27 **and South Bend Railroad along a route to Lowell, Indiana.**

28 **(b) There is appropriated fifteen million dollars (\$15,000,000)**
29 **to the Northern Indiana Commuter Transportation District from**
30 **Indiana's apportionment of grants to the states under the federal**
31 **American Recovery and Reinvestment Act of 2009 for the purpose**
32 **of relocating rail lines to the west side of the airport in South Bend,**
33 **Indiana, beginning July 1, 2008, and ending June 30, 2010.**

34 **(c) There is appropriated fifteen million dollars (\$15,000,000) to**
35 **the Northern Indiana Commuter Transportation District from**
36 **Indiana's apportionment of grants to the states under the federal**
37 **American Recovery and Reinvestment Act of 2009 to conduct**
38 **preliminary engineering and environmental studies and other**

activities necessary or appropriate to construct phase 1 of the West Lake line, beginning July 1, 2008, and ending June 30, 2010.

(d) There is appropriated five million dollars (\$5,000,000) to the Northern Indiana Commuter Transportation District from Indiana's apportionment of grants to the states under the federal American Recovery and Reinvestment Act of 2009 to make railroad track safety and efficiency improvements in Michigan City, Indiana, beginning July 1, 2008, and ending June 30, 2010.

(e) There is appropriated fifteen million dollars (\$15,000,000) to the Central Indiana Regional Transportation Authority from Indiana's apportionment of grants to the states under the federal American Recovery and Reinvestment Act of 2009 to advance the proposed rail transit for the northeast corridor of central Indiana, beginning July 1, 2008, and ending June 30, 2010.

(f) There is appropriated three million dollars (\$3,000,000) to the Indianapolis Public Transportation Corporation from Indiana's apportionment of grants to the states under the federal American Recovery and Reinvestment Act of 2009 for the purposes authorized under IC 36-9-4 for a public transportation corporation, beginning July 1, 2008, and ending June 30, 2010.

(g) The sums appropriated to the grant recipients by this SECTION are in addition to all other income and receipts of the grant recipients and shall not be considered in awarding grants to grant recipients under a law other than this SECTION. Notwithstanding IC 4-10-11, IC 4-12-1-14, or any other law, the amount of the appropriations under this SECTION shall be:

(1) allotted for distribution to the grant recipients; and

(2) distributed upon warrant issued by the auditor of state to the appropriate grant recipient;

as soon as practicable after the receipt of Indiana's apportionment of grants to the states under the federal American Recovery and Reinvestment Act of 2009 without further review or approval by any other state official or body. A grant recipient shall periodically file with the budget agency financial statements showing the uses of the amount distributed to the grant recipient under this SECTION on the schedule, in the form, and with the detail prescribed by the budget agency.

(h) Notwithstanding IC 4-9.1-1-7, IC 4-12-1-12, IC 4-12-1-14.1,

1 **IC 4-13-2-23, or any other law, an appropriation under this**
2 **SECTION and the money appropriated by this SECTION are not**
3 **subject to transfer, assignment, or reassignment for any use or**
4 **purpose other than the uses and purposes specified in this**
5 **SECTION.**

6 **(i) This SECTION expires January 1, 2011."**

7 Renumber all SECTIONS consecutively.

(Reference is to HB 1660 as printed February 17, 2009.)

and when so amended that said bill do pass.

Representative Crawford